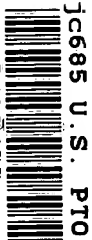


05/30/00



jc685 U.S. PTO

PATENT  
ATTORNEY DOCKET NO.: 051638-5001-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents  
**BOX PATENT APPLICATION**  
Washington, D.C. 20231

**PRIOR APPLICATION**  
Examiner: Unassigned  
Group Art Unit: 2768



**CONTINUATION, DIVISIONAL, AND CONTINUATION-IN-PART  
PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a patent application under 37 C.F.R. § 1.53(b).

1. This application is a ☐ Continuation ☐ Divisional ☒ Continuation-in-Part patent application under 37 C.F.R. § 1.53(b), of pending prior application no. 09/497,483, filed on February 4, 2000, of:

Inventor(s): Scott A. SNYDER

For: SYSTEM AND METHOD FOR ASSISTING CUSTOMERS IN CHOOSING  
AMONG A SET OF COMMODITIES USING CUSTOMER PREFERENCES

2. The papers enclosed are as follows:

54 Page(s) of specification including  
1 Title Page  
13 Page(s) of claims  
1 Page of abstract  
11 Sheet(s) of drawings containing 11 Figures  
— Other: \_\_\_\_\_

3. Amendments

**For continuation and divisional applications:**

- ☐ Cancel in this application original claims \_\_\_\_\_ in the enclosed copy of prior application before calculating the filing fee. [At least one original claim must be retained for filing purposes.]
- ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

09/580448 - 053000

#### 4. Oath or Declaration

**For continuation or divisional applications:**

- ☐ A newly executed (original or copy) oath or declaration is enclosed.
- ☐ A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. § 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ A signed statement deleting inventor(s) named in the prior application is enclosed.

**For continuation-in-part applications:**

- ☒ A newly executed (original or copy) oath or declaration is enclosed.
- ☐ An oath or declaration is not enclosed. This application is being filed under 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the declaration and paying the filing fees.

5. Relate Back - 35 U.S.C. § 120

- [X] Amend the specification by inserting before the first line the sentence:

“This is a [ ] continuation [ ] divisional [X] continuation-in-part  
of copending application(s)

- [X] Application No. 09/497,483 on February 4, 2000.”  
 [ ] International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and which designated the U.S.”

6. Priority - foreign applications under 35 U.S.C. § 119(a)-(d) or § 365(b) or PCT international applications under 35 U.S.C. § 365(a) designating at least one country other than the U.S.

☐ Priority of the following foreign application(s) is/are claimed:

Country	Application No.	Filed

Certified copy(ies): ☐ is/are attached.

☐ will follow.

☐ was/were filed in prior U.S. Application No. \_\_\_\_\_ on \_\_\_\_\_.

7. Assignment

**For continuation or divisional applications:**

☐ The prior application is assigned of record to \_\_\_\_\_, recorded \_\_\_\_\_ at Reel/Frame \_\_\_\_\_.

☐ An assignment of the invention to \_\_\_\_\_ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

**For continuation-in-part applications:**

☒ An assignment of the invention to OmniChoice.com, Inc. and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$690.00 Design \$310.00
Total Claims (37 C.F.R. § 1.16(c))	53 - 20 =	33	\$ 18.00 each =	+ \$594.00
Independent Claims (37 C.F.R. § 1.16(b))	4 - 3 =	1	\$ 78.00 each =	+ \$78.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$260.00	+ \$
<b>SUB-TOTAL =</b>				<b>\$1,362.00</b>
<b>Reduction by 1/2 for filing by a small entity</b>				<b>- \$681.00</b>
<b>TOTAL FILING FEE =</b>				<b>\$681.00</b>

☒ The Commissioner is hereby authorized to charge the filing fee or credit any overpayment to deposit account no. 50-0310.

A check(s) in the amount of \$\_\_\_\_\_ to cover the \_\_\_\_\_ is enclosed.

[ ] The fee for extra claims under 37 C.F.R. § 1.16(d) is not being paid at this time and no authorization is given to charge our deposit account for this fee.

- Please address all correspondence to Morgan, Lewis & Bockius LLP at  
**Customer Number: 009629**

12.   [ ]     Recognize as associate attorney \_\_\_\_\_.  
                    (name, address, and registration no.)
13.   [X]     PETITION FOR EXTENSION OF TIME. If any extension of time is  
necessary for the filing of this application, including any extension in the prior  
application, application no. 09/497,483, filed February 4, 2000, for the purpose of  
maintaining copendency between the prior application and the present application,  
and such extension has not otherwise been requested, such an extension is hereby  
requested, and the Commissioner is authorized to charge necessary fees for such  
an extension to Deposit Account No. 50-0310.
14.   [X]     EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is  
hereby authorized by this paper to charge any additional fees during the entire  
pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17  
which may be required, including any required extension of time fees, or credit  
any overpayment to Deposit Account 50-0310. This paragraph is intended to be  
an CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in  
accordance with 37 C.F.R. § 1.136(a)(3).

15. Additional papers enclosed:

- [ ] Information Disclosure Statement  
[ ] Form PTO-1449, \_\_\_\_\_ references included  
[ ] Declaration of Biological Deposit  
[ ] Submission of "Sequence Listing", computer readable copy and/or amendment  
pertaining thereto for biotechnology invention containing nucleotide and/or amino  
acid sequence.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: Lesley L. Coulson  
Lesley L. Coulson  
Reg. No. P-46,642

Dated: May 30, 2000

Customer No. 09629  
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